

Application No.: 10/587,185  
Art Unit: 4117

Amendment under 37 CFR §1.111  
Attorney Docket No.: 062835

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Figure 2. This sheet, which includes Figures 2 and 3, replaces the original sheet including Figures 2 and 3.

In Figure 2, reference numeral 47-1 was listed twice. The drawing has now been amended so that the second listing is now 47-2.

Attachment: Replacement Sheet

**REMARKS**

Please reconsider the application in view of the foregoing amendments and the following remarks.

**Status of Claims**

Claims 1-3 are pending in the present application. Claims 1 and 2 are herein amended. No new matter has been entered.

**Information Disclosure Statement**

Applicants note with appreciation the Examiner's thorough consideration of the references cited in the Information Disclosure Statement (IDS) submitted on July 25 and October 19, 2006.

**Specification and Drawing**

The Office Action requests the submission of a substitute specification in proper idiomatic English.

Applicant appreciates the courtesy extended by the Examiner in the telephonic interview on April 8, 2009. During this interview, the present specification was discussed and it was agreed that paragraph [0008] along with drawing Fig. 2 in the present specification would need amending.

As such, as per the Examiner's suggestion, Applicant herein amend paragraph [0008] to correct a minor grammatical/typographical error and correct drawing figure 2, which listed reference numeral 47-1 twice, by replacing the second reference numeral 47-1 with 47-2.

**Claim Rejections - 35 U.S.C. §112**

On page 2, item 3, the Office Action rejects claim 2 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant herein amend claim 2 for the Examiner's consideration. Applicant respectfully submits that the amended claim 2 overcomes the rejection. Accordingly, Applicant requests that rejection under 35 U.S.C. §112, second paragraph be withdrawn.

**Claim Rejections - 35 U.S.C. §103**

The Examiner has rejected claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shimogama et al.** (USP 6,294,887) in view of **Crunk** (USPN 2003/0193841). Applicant traverses.

Please note that the effect of the invention is as follows:

- (1) When the automatic machine can not be operated due to abnormality of the automatic machine control device (the breakdown is caused at the device or apparatus in the automatic

machine control device) and the automatic machine (an arm in case of a robot) is moved from the working area, the worker's attention is attracted.

(2) Since it is necessary to close two contacts of a release selection contact and a release contact in order to release a brake, it is possible to further avoid from an erroneous operation. Even if an abnormality such as contact adhesion is caused at one of the contacts, it is possible to improve safety by opening the other contact.

### **Independent claim 1**

A *prima facie* case of obviousness requires that the combination of the cited prior art, coupled with the general knowledge in the field, must provide all of the elements of the claimed invention.

Claim 1, as amended, is drawn to at least ... *the brake release indication unit also serves as a driving power indication unit when the motor is driven by selecting an indication state other than the indication state when the motor is not driven, said motor is not driven when the brake releasing unit is supplied with power so that the brake is released.*

For example, as noted in paragraphs [0026] and [0027] of the present specification, “[...] two indication states, that is, lighting and flickering, are indicated by one lamp. Alternatively, when the two states may be indicated in different colors, the worker can easily identify the two states. As such, when the motors are driven by closing the circuit breaker 2 that usually operates

in the automatic machine, the lamps 49 and 59 are in normally lighting states. When the brakes are released by the worker's operation in a state where the automatic machine does not operate, if the brake release selection contacts 61 or 71 is closed, the lamp 49 or 59 of the closed brake release selection contact 61 or 71 flickers. Therefore, the worker can clearly identify the automatic machine that has brakes to be released, and an erroneous operation that brakes of another automatic machine are released can be prevented.”

On page 3 of the Office Action, it is acknowledged that “Shimogama et al. do not specifically teach that the indication unit indicates that the brake is ready to be released by the brake releasing unit.”

Nonetheless, on page 4 of the Office Action, it is alleged that Shimogama teaches “wherein the automatic machine has a driving power indication unit (element 5) for indicating that the motor is driven (column 1, lines 45-47), and the driving power indication unit serves as the brake release indication unit when the motor is not driven, and selects one state of different indication states (element 5b, Fig. 1), such as when the motor is driven (column 1, lines 43-47) or when the brake is to be released (column 1, lines 34-35).

However, it is respectfully submitted that the Office Action is mischaracterizing the teaching of Shimogama. Specifically, Shimogama teaches an indicator 5 for visually presenting a release of the motor brake to the operator so that once the operator sees the lighting-on of the

indicator section 5, the operator knows that the motor brake is released and the motor is in a driving state (column 1, lines 34-47). **In other words**, Shimogama's indicator 5 teaches only one indication state, i.e., when the lighting-on indicator is lighted, it signifies to an operator that motor is in a driving state with brake released.

**In contrast**, in the claimed invention there are at least two indication states. For example, in one state, when the motors are driven, the indication unit may indicate a normal lighting state; in the other state, when the brakes are released by the operator operation in a state where the motor is not driven, the indication unit may indicate a flickering lighting state.

In addition, Crunk does not remedy this deficit because it is concerned with providing a visual illumination or indication to the operator so that the operator can quickly know whether the instrument/equipment is On or Off. However, Crunk is wholly devoid of at least *the brake release indication unit also serves as a driving power indication unit when the motor is driven by selecting an indication state other than the indication state when the motor is not driven, said motor is not driven when the brake releasing unit is supplied with power so that the brake is released.*

Because the cited references do not teach or suggest all of the claimed elements and limitations in amended claim 1, it is respectfully submitted that a person of ordinary skill in the art would not make the combination suggested by the examiner as obvious and the resulting

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combination would not yield the invention in claims 1-3. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. 103 be withdrawn.

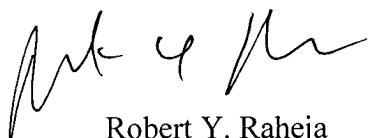
### Conclusion

The Claims as amended have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated March 4, 2009, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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